

### **REMARKS**

This amendment is responsive to the Office Action dated May 7, 2004. Applicant has amended claims 1, 4, 16, 19, 28 and 29 and has canceled claims 9 and 30. Applicant has added claims 34-38. Claims 1-8, 10-29, and 31-38 are pending.

### **Amendments to the Specification**

The specification has been amended to correct nonsubstantive errors. No new matter has been added.

The specification and drawings apply the reference numeral for the central body and the depression of spring arm 100. The first two amendments (to paragraphs [0051] and [0061] of the published application) specify that the reference numeral for the central body is 110, and the reference numeral for the depression is 108. This correction is consistent with the depiction of central body 110 and/or depression 108 in FIGS. 6 and 9-12.

The second two amendments (to paragraphs [0065] and [0066] of the published application) correct an error regarding elements having reference numerals 200 and 204. Stop block 200 is a part of rocker body 184 and is coupled to, but not formed with, cover 16. Barrier 204, however, is a part of cover 16. The second two amendments clarify that an artifact on top surface 44, such as structure 82, may result when cover 16 is injection molded, and barrier 204 is hollow. This correction, which moves language from paragraph [0065] to paragraph [0066] and corrects the reference to barrier 204, is consistent with the depiction of barrier 204 and/or structure 82 in FIGS. 3-5, 7-8 and 14.

### **Formal Drawings**

The Examiner and the Draftsperson objected to the drawings, but deemed the drawings acceptable for examination purposes. By separate transmittal, Applicant will submit a set of formal drawings.

**Claim Rejections Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1, 4, 11, 13-16 and 20 under 35 U.S.C. § 102(e) as being anticipated by Frangesch et al. (U.S. Pat. No. 6,594,146). Applicant respectfully traverses the rejections to the extent such rejections may be considered applicable to the amended claims. Frangesch et al. fail to disclose each and every feature of the claimed invention, as required by 35 U.S.C. § 102(e), and provide no teaching that would have suggested the desirability of modification to include such features.

*Claims 1, 4*

Applicant has amended independent claim 1 to include the elements of claim 9, and has canceled claim 9. In particular, Applicant has amended claim 1 to recite “defibrillator” in place of “medical device.” According to the Examiner, claim 9 recited allowable subject matter, because Frangesch et al. do not disclose or suggest a device comprising a platform that supports a defibrillator, a coupling mechanism coupled to the platform that engages and holds the defibrillator on the platform, and a base coupled to the platform, the platform having some freedom to rotate relative to the base. Incorporation of the elements of claim 9 into independent claim 1 therefore puts claim 1 in condition for allowance. Applicant has amended claim 4, which depends on claim 1, to make claim 4 consistent with claim 1, that is, to recite “defibrillator” in place of “medical device.” Claims 2-8 and 10, which depend directly or indirectly upon claim 1, are therefore also in condition for allowance.

*Claims 16-20*

Applicant has amended independent claim 16 to recite “defibrillator” in place of “medical device.” As the Examiner observed in connection with claim 9, Frangesch et al. do not disclose or suggest a device comprising a platform that supports a defibrillator medical device, a first coupling mechanism coupled to the platform that engages and holds a first side of the defibrillator medical device, and a second coupling mechanism that engages and holds a second side of the defibrillator medical device. Accordingly, the amendment to independent claim 16 puts claim 16 in condition for allowance. Applicant has amended claim 19, which depends on

claim 16, to recite “defibrillator” in place of “medical device.” Claims 17-21, which depend directly or indirectly on claim 16, are also in condition for allowance.

*Claims 11, 13-15*

Applicant respectfully traverses the rejections under 35 U.S.C. § 102(e) with respect to claims 11 and 13-15. Frangesch et al. fail to disclose each and every feature set forth in claims 11 and 13-15 as required by 35 U.S.C. § 102(e), and provide no teaching that would have suggested the desirability of modification to include such features.

For example, Frangesch et al. fail to disclose or suggest “rotating at least one portion of the docking station relative to another portion of the docking station” as recited by Applicant’s independent claim 11. On the contrary, to the extent Frangesch et al. describe rotation of the docking station, Frangesch et al. disclose the docking station rotating as a unit, and not one portion of the docking station rotating relative to another portion of the docking station, as recited in claim 11.

The Examiner directed applicant’s attention to FIG. 2 of Frangesch et al., and asserted that FIG. 2 discloses a docking station that rotates relative to base 106 (inconsistently identified in FIG. 2 with reference numeral 132). Based on Applicant’s analysis, however, the Frangesch base 106/132 is not a part of the Frangesch docking station 2. On the contrary, the Frangesch base 106/132 is expressly a part of a support structure, which also includes support arm 104, mounting plate 102, horizontal pivot rod 108, and a pivotable post 110 (inconsistently identified in FIG. 2 with respective reference numerals 130, 128, 134 and 136). Frangesch et al., col. 4, lines 23-33.

According to Frangesch et al., the bottom housing 24 of docking station 2 is connected to a mounting plate 26, which is in turn fastened to the support base 106/132. Frangesch et al., col. 4, lines 28-31. When support base 106/132 swivels on a horizontal pivot rod 108/134, the entire docking station swivels: “Thus the docking station has the same degrees of freedom of movement that base 106 has.” Frangesch et al., col. 4, lines 31-32. Frangesch et al. do not describe any portion of the docking station rotating relative to another portion of the docking station, as recited in claim 11. Nor do Frangesch et al. suggest that any portion of the docking station can rotate relative to another portion of the docking station, because the swiveling

elements are a part of the support structure, not a part of the docking station. For at least these reasons, the Examiner has failed to establish a prima facie case for anticipation of Applicant's claims 11 and 13-15 under 35 U.S.C. § 102(e). Withdrawal of these rejections is requested.

*Claims 28 and 29*

In the Office Action, the Examiner rejected claims 28 and 29 under 35 U.S.C. § 102(b) as being anticipated by Foster et al. (U.S. Pat. No. 5,335,651). Applicant respectfully traverses the rejections to the extent such rejections may be considered applicable to the amended claims.

Applicant has amended independent claim 28 to include the elements of claim 30, and has canceled claim 30. In particular, Applicant has amended claim 28 to recite "defibrillator" in place of "medical device." According to the Examiner, claim 30 recited allowable subject matter, because Foster et al. do not disclose or suggest an apparatus comprising a crash cart, a base coupled to the crash cart, and a platform coupled to the base that supports a defibrillator medical device, wherein the platform has some freedom to rotate relative to the crash cart. Incorporation of the elements of claim 30 into independent claim 28 therefore puts claim 28 in condition for allowance. Applicant has amended claim 29, which depends on claim 28, to make claim 29 consistent with claim 28, that is, to recite "defibrillator" in place of "medical device." Claim 29 is therefore also in condition for allowance.

Applicant has also amended claim 28 to make punctuation correct and consistent.

**New Claims**

Applicant has added claims 34-38 to the pending application. Independent claim 34 includes the elements of claim 1, prior to amendment, and claim 6. According to the Examiner, claim 6, if written in independent form including all of the limitations of the base claim and any intervening claims, would be allowable. Claim 34 is therefore in condition for allowance, as are claims 35 and 36, which depend on claim 34.

Independent claim 37 includes the elements of claim 1, prior to amendment, and claim 10. According to the Examiner, claim 10, if written in independent form including all of the limitations of the base claim and any intervening claims, would be allowable. Claim 37 is therefore in condition for allowance, as is claim 38, which depends on claim 37.

**Allowable Subject Matter**

In the Office Action, the Examiner determined that claims 22-27 and 31-33 are allowable in their present form.

The Examiner objected to claims 2, 3, 5-10, 12, 17-19, 21, and 30 as including subject matter that would be allowable if rewritten in independent form. In this Amendment, Applicant has amended claims 1, 4, 16, 19, 28 and 29 to recite subject matter that the Examiner has determined is allowable. Applicant has further added claims 35-38, which recite subject matter that the Examiner has determined is allowable.

**CONCLUSION**

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

6 July 2004

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